

REMARKS

Claims 18-21 are cancelled, without prejudice, and with exception taken to the alleged grounds for the restriction requirement and refusal to consider.

Applicant traverses the art rejection alleging that Negus FIGS. 1 and 2 clearly anticipates the claims.

Claims 10-12 are amended and claims 22-23 are added to further distinguish over Negus (US 5,595,094) and to more particularly recite the elements of the patentably distinguishable construction.

Negus, FIG. 1 and FIG.2, discloses that the distally disposed jaw elongated notch is not more distally disposed than any of the opposed notches. Claims 10 and 22 as amended more definitively set forth this distinction. Negus FIGS. 1-2 teaches away from the presently claimed construction. Negus FIGS. 3-4 also fails to disclose a more distally disposed notch. Negus FIGS. 3-4 further directs one to equal opposed notches. In summary, Negus variously and consistently teaches away from the present construction.

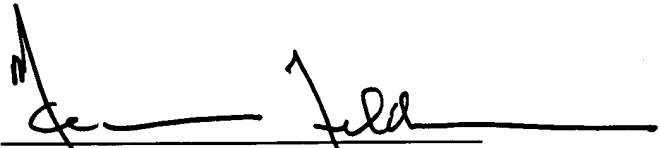
The other art of record is further removed.

Claims 10-12 and 22-23 are submitted to be in form for allowance.

An early allowance is respectfully requested.

Respectfully submitted,

LACKENBACH SIEGEL, LLP


Marvin Feldman, Reg. 25,797

MF:k

Date November 16, 2007

One Chase Road

Scarsdale, NY 10583